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18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **OAKLAND DIVISION**

21 **I.E.I. COMPANY LIMITED**, a Thailand
22 corporation; **INTERNATIONAL**
23 **EDUCATION, INC.**, a Seychelles
24 corporation,

25 Plaintiffs,

26 vs.

27 **ADVANCE CULTURAL EXCHANGE**
28 **TRAINING CORPORATION**, a California
corporation, initially named herein as
“Advance Cultural Education and Training
Corporation”; **NAPAT VORAPUVADOL**,
a/k/a Nawachol Boontham, an individual;
NARIN NATHRADOL, a/k/a Monnipa
Komolketruck, an individual; **SUPAWADEE**
POONDEJ, a/k/a Supavadee Poondej, an
individual; **DOES 1 through 10, inclusive**,

29 Defendants.

30 Case No. 4:09-CV-05079 PJH

31 **JOINT STIPULATION AND**
[PROPOSED] ORDER TO VACATE
PRETRIAL CONFERENCE AND
TRIAL DATE AND SET CASE
MANAGEMENT CONFERENCE

1 Pursuant to Civil Local Rules 6-2, 7-12, and 16-10(c), Plaintiffs I.E.I. Company
2 Limited and International Education, Inc. and Defendants Advance Cultural Exchange
3 Training Corporation (“ACET”), Napat Vorapuvadol, Narin Nathradol, and Supadwadee
4 Poondej (collectively, the “Parties”) respectfully submit the following Joint Stipulation
5 Vacating Pretrial Conference and Trial Date and Setting Case Management
6 Conference. In support of their Stipulation, the Parties state as follows:

7 **WHEREAS**, by order of the Court, Michael Dietrick substituted in as counsel for
8 Defendants on February 18, 2011. [D.E. 114.]

9 **WHEREAS**, on March 8, 2011, the Court scheduled a case management
10 conference for April 7, 2011 and ordered the Parties to file a joint case management
11 conference statement. [D.E. 117.]

12 **WHEREAS**, on March 31, 2011, the Court vacated the case management
13 conference scheduled for April 7, 2011, and instead referred the Parties to a magistrate
14 judge to conduct a settlement conference. [D.E. 121.]

15 **WHEREAS**, on May 20, 2011, Plaintiffs I.E.I. Company Limited and International
16 Education, Inc. (collectively, “Plaintiffs”) filed a renewed motion for terminating sanctions
17 against Defendants ACET, Napat Vorapuvadol, Narin Nathradol, and Supadwadee
18 Poondej (collectively, “Defendants”), which is scheduled for hearing before Magistrate
19 Judge Laurel Beeler on August 4, 2011. [D.E. 126.]

20 **WHEREAS**, on June 9, 2011, the Parties attended a settlement conference
21 before Magistrate Judge Jacqueline Scott Corley. [D.E. 133.] Although the Parties
22 agreed to settle the case at the settlement conference, they have not yet agreed on a
23 stipulated judgment to be filed with the Court and are still working on finalizing those
24 terms.

25 **WHEREAS**, pursuant to the March 15, 2010 Case Management and Pretrial
26 Order, the pretrial conference is presently scheduled for July 14, 2011 at 2:00 p.m.

27 **WHEREAS**, the trial date is presently scheduled for August 8, 2011 at 8:30 a.m.

28 **WHEREAS**, the Parties have conferred and agreed that, subject to approval by

1 the Court, the July 14, 2011 pretrial conference and August 8, 2011 trial date should be
2 vacated to permit the Parties additional time to finalize a stipulated judgment reflecting
3 the agreement reached at the settlement conference.

4 **WHEREAS**, the Parties have further conferred and agreed that, subject to
5 approval by the Court, a Case Management Conference should be set for July 14, 2011
6 at 2:00 p.m., or at another date and time that is convenient for the Court, to discuss the
7 status of the case. The Parties have filed a Joint Case Management Conference
8 Statement concurrently herewith.

9 **NOW THEREFORE**, the Parties, by and through their undersigned counsel,
10 hereby **STIPULATE** and **AGREE** as follows, subject to approval by the Court:

11 1. ~~The July 14, 2011 pretrial conference shall be VACATED.~~
12 2. ~~The August 8, 2011 trial date shall be VACATED.~~
13 3. A case management conference shall be **SET** for July 14, 2011 at 2:00 p.m.

14 **IT IS SO STIPULATED.**

16 Dated: July 7, 2011

17 **LAW OFFICES OF MICHAEL DIETRICK** **KRONENBERGER BURGOYNE, LLP**

19 By: s/ Michael Dietrick

20 Michael Dietrick

22 Attorney for Defendants

By: s/ Karl S. Kronenberger

Karl S. Kronenberger
James V. Weixel, Jr.

Attorneys for Plaintiffs

26 Dated: July 11, 2011

28 Case No. 4:09-CV-05079 PJH

27 PHYLLIS J. HAMILTON
United States District Judge